

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 773 OF 2022

Sujit Atmaram Panchabudhe and others

vs.

Central Bureau of Investigation and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A. A. Dhawas, Advocate for petitioners.
Mr. P. K. Sathianathan, Advocate for respondent No.1.
Mr. V. A. Thakare, APP for respondent No.2 and 3.

**CORAM : VINAY JOSHI AND
BHARAT P. DESHPANDE JJ.**

DATE : 08/03/2023

Heard learned counsel for the parties.

2. By way of present petition, petitioners seeking directions to register crime and conduct an investigation on the complaint dated 22/08/2022 (Annexure – 3) and by the Crime Branch (EOW).

3. Reply dated 09/02/2023 is filed by respondent No.3 (page 51 onwards). In para 5 of the said reply, it is mentioned thus :-

“5. Therefore the answering respondent has not committed any default, delay in the investigation. The investigation in the instant crime is still in progress however, awaiting reply from the Securities Deposits and Investment Bureau of India. The answering respondent has taken his steps in accordance with law and has not committed any error. Hence as there is no mistake on the part of the answering respondent there is no necessity or requirement to handover the investigation to any other agency. Hence the instant Writ Petition being devoid of merit and substance may kindly be dismissed.”

4. Learned counsel for the petitioners would submit that since some enquiry is already started by the respondent No.2 and information has been sought from Securities Deposits and Investment Bureau of India (SEBI), they may be directed to conduct investigation.

5. Learned APP appearing for respondent No.3 would submit that in case report is received from the SEBI showing same ingredients of the offences as alleged by the applicants, investigation will be carried out.

6. In view of the said statement, the respondent No.3 to secure the report from SEBI at least within a period of one month from today.

7. We therefore, grant liberty to the petitioners to approach concerned jurisdictional Magistrate/Special Court, in case respondent No.3 failed to register any crime on the basis of report received from SEBI. With these directions present petition stands disposed of.

JUDGE

JUDGE

*Digitally signed by*RAVIKANT
CHANDRAKANT KOLHE
*Signing Date:*09.03.2023
10:04

KOLHE